IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPLICATION NO. 135 OF 2002.

The Commissioner of Income Tax
Mumbai City-III, Mumbai. ... Applicant.
V/s.
Central Bank of India Ltd.,
Mumbai. ... Respondent.

Mr.Ashok Kotangale for the applicant.

None for the respondent.

CORAM : **DR.S.RADHAKRISHNAN and V.C.DAGA, JJ.**

DATED : **9th April 2007.**

P.C. :

. Heard learned counsel for the applicant.

None appears for the respondent.

2. In the above application, the following substantial question of law is sought to be referred:

> "Whether on the facts and in the circumstances, the ITAT was right in law in allowing the assessee's claim in respect of weighted deduction u/s. 35B in respect of the expenditure incurred by two branches in the United Kingdom?"

. The learned counsel for the applicant-revenue fairly states that the issue involved is squarely covered by the judgment of this Court in **C.I.T. v. State Bank of India**, (2003) 261 ITR 82 in favour of assessee and against the revenue.

Application is disposed of accordingly.

(V.C.DAGA J.) **(DR.S.RADHAKRISHNAN,J.)**